

1 WILLIAM MCGRANE [57761]
MCGRANE LLP
2 Four Embarcadero Center, Suite 1400
San Francisco, CA 94111
3 Telephone: (415) 766-3590
william.mcgrane@mcgranelLP.com
4 Attorneys for Plaintiff Howrey Claims, LLC,
5 on behalf of itself and all others similarly
situated
6

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 In re:

11 HOWREY LLP,

12 Debtor.

13 HOWREY CLAIMS, LLC,

14 Appellant,

15 v.

16 ALAN DIAMOND, Chapter 11 trustee ,

17 Appellee.

Case No. 13-cv-00449 SBA
[consolidated with Case No. 13-cv-00981]

**STIPULATION AND PROPOSED
ORDER RE-SETTING THE BRIEFING
SCHEDULE**

Pursuant to the Court's Order Granting Motion to Approve Stipulation to Consolidate Proceedings and Set Briefing Schedule (Dkt. No. 20) (March 26, 2013), in Case No. 13-cv-00449 (449), Appellee's Opposition Brief is due on June 5, 2013, and Appellant's Reply Brief is due on July 5, 2013. Since setting of those dates, Howrey Claims, LLC initiated Case No. 13-cv-01889 (1889), which deals with essentially the same issues as 449.

Howrey Claims, LLC has already filed its Appellant's Opening Brief in 1889. Howrey Claims, LLC, with the agreement of Trustee Alan Diamond's attorney, applied to the Court for an order consolidating 449 with 1889, so that the parties could avoid filing superfluous briefs in both cases. As of this date the request to consolidate remains under submission.

Accordingly, the parties therefore stipulate that:

The due date for the Appellee's Opening Brief in 449 shall be extended to June 17, 2013—giving the Court time to consider the request for consolidation and, if granted, giving Appellee the time to incorporate both appeals into its Opposition Brief.

Appellant's Reply Brief will remain due on July 5, 2013.

SO STIPULATED:

Dated: May 28, 2013

McGrane LLP

By: /s/ William McGrane

William McGrane

Attorneys for Plaintiff Howrey Claims, LLC, on
behalf of itself and all others similarly situated

Dated: May 28, 2013

Diamond McCarthy LLP

By: /s/ Ben King

Ben King

Attorneys for Trustee Alan Diamond

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

IT IS SO ORDERED:

Dated: May ²⁹~~28~~, 2013

By: 
Hon. Sandra Armstrong

United States District Court
Northern District of California